/63 cont./

581 harness for animals, and, when living among civilizado /nonnative/ groups, domestic service in the homes of whites and mestizos, the carrying of water and part of the agricultural work in areas, such as Nazaret, where cultivation is possible on the banks of streams, as well as in regions where only temporary cultivation is carried on. In places like Carrizal and Bahía Honda they collect divi-divi, and in the saltworks they do secondary work for pay or simply to assist their husbands.

581 593 [684] This aspect of Guajiro marriage is so important that when a man has abducted a woman and he is considering whether he will buy her or only make a payment for the abuse he has committed, he obtains plant filaments or cotton and sets her to work to make a hammock or a belt. If the woman is not capable he will reject her, as he will reckon that he should not pay for her a price as high as is being demanded. The fact that the woman is an independent economic unit with her children allows her husband to dedicate himself entirely to his pastoral work, to go to the men's gatherings and to the various fiestas, to participate in communal work when asked, to go off on hunting trips for weeks at a time, without having to worry about his home, to join up with his group to fight when necessary, to go traveling from place to place where his other women are, where he gets other economic assistance; in fact to lead a life without worry, although at the present time, owing to conditions of diverse nature, he is finding it necessary to change this pattern of living and to take a more active part in economic life, through the necessity to migrate or to work in the urban centers. This does not mean that he is forced to give more direct assistance to the home: He still follows the traditional way in which his help is only sporadic and absolutely voluntary, leaving to the wife's care the support of the home and of herself; only at the present time when he receives a day's wage for his work, he will drink more and spend more time in idleness while he is spending his earnings.

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583
836 the situation in a different manner. He says: "The past does not matter to me. I suppose he did not cut out your organ." In this way the woman gets tranquilly married, and the husband, aware of the facts, makes no later claims, though it may happen that the price paid is lower, although this is not usual, as the man in recognition of the woman's confession shows a generous attitude.

In the case when the woman who is about to be bought has received payment for abuse, the man takes into account the intervention of the maternal family who saw to it that the feminine elements of the group were respected, which proves to him that it is a family group that insists on the law being complied with and for this reason has sufficient prestige and masculine elements to enforce it and is a group that, because of the payment he will make, will look after the security and stability of his marriage. Also, the knowledge of every one of the details of what happened (violation or marriage not carried out because of the nonpayment of the second payment) is an adequate palliative which excuses, to the Indian's way of thinking, what has occurred and does not constitute a deception or an economic or moral fraud.

[684] When in consequence of premarital relations a pregnancy has resulted, the man who causes it must pay for the birth in addition to the abuse, in accordance with Guajiro tradition: a number of animals to the mother or the immediate relatives for the troubles of pregnancy and for the birth itself, which includes the pain suffered and the blood lost. If this woman is later bought, an amount is deducted from the payment, which tacitly amounts to the value of her virginity, already paid for in the sum given for the abuse. It can, however, occur, and in effect it does occur, that the man /69/ ignores the past when he has a special affection or feels greatly attracted by the woman, in which case he pays the price asked without the afore-mentioned discount.

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936 Today this causes less repercussion, and the phenomena which were
558 aroused in the society and the individual have become weakened.
178 But by contrast, it /virginity/ is an object of greater search, and the man who is successful /70/ in finding a virgin bride publicizes it as an individual reason for prestige. Furthermore, men are complaining less and less when their wives have not come as virgins to the nuptial hammock, and they only make it the subject of satirical songs when they are drunk. That is to say, they take the matter more broadmindedly, giving if the character of an accomplished fact and almost to be expected.

684 Violation and rape. The payment for abuse is that which the Guajiro must pay for illicit sexual relations with an unmarried woman, being a material compensation for the improper use made of her and returning to the woman her position of respected spinster, with the possibility that another man will court her and buy her for himself, without the fact of the abuse weighing as a dishonor in her past or having any echo in the future. It is also the compensation to the maternal relatives of the woman for the material and moral offense of violation of a right. They receive this payment because, by not accepting it, they would lower their kinswoman, and through her all of the family, to the category of "a dog or a burro," with no one to make their rights valid, and in order to prevent others wishing to do the same thing to other women of the family, which would bring the prestige of the group to an end. Also, because the man made use of a right which he should have paid for beforehand, to compensate the woman's relatives for rearing her and for the social support they have given her. The payment covers two distinct aspects of different value: violation and rape.

684 In the first case, as it is considered that the woman has shown
839 willingness in the act, only the abuse is taken into account. In the second, as force has been used, a compensation payment is demanded not only for abuse but for violation, specifying that the man used force and thereby humiliated the woman, made her dishonor and her physical weakness more obvious, and offended

/70 cont./

684 839 her maternal relatives by reducing them to the level of a conquered group whose women are the easy prey of any man as they have no one strong enough to back the claim for them. For this an increase in the payment is included as indemnity. Also, if when the assault took place the woman was injured, the payment is further increased because they also collect compensation payment for the spilling of blood, the common link of kinship and vital element of the body.

It frequently occurs in certain places where the economic differences between different groups are very pronounced, that when a young girl is in the period of seclusion and her relatives have had to leave her alone in her room to attend to work outside the house, rich Indians take advantage of the occasion to violate her. In such a case /71/ when the offended group obtains the backing of another group that is as strong as that of the offender's, the payment for abuse is very high, because in addition to the lowering of family prestige, they consider the value of the girl's seclusion and her isolation from men to have been lost, so placing her and her relatives on an inferior plane by not being able to comply in full with the traditional formalities usual in order to become a complete woman in the Guajiro sense. If the payment is not effected due to the inferiority and lack of backing of the offended group, one of the members of the clan, feeling the humiliation of his kinswoman, will wait for an opportunity to kill the culprit, but by doing so he will cause the destruction and exile of his family group.

684 It can happen, and it is very frequent at the present time, that a woman has received payment for successive abuses. The young girl, demoralized for various reasons, gives herself secretly to a man, an act which on becoming known leads to a claim for compensation payment. It may also come about that a woman comes to be bought as a wife after what has happened. As the young Guajiro woman considers it an honor to be bought rapidly and at a good price, she looks enviously at the luck of such women, and since she thinks that they owe it to their way she tries to do the same. This increases the frequency of the act, which in

/71 cont./

●684 poor groups does not call for compensation payment as it is a distinct source of income, which compensates for a payment difficult to obtain and which necessitates invoking the force of the whole family group, usually very dispersed due to migration.

It must also be made clear that the payment demanded has a special character with regard to the amount, which should not reach or be equal to a marriage payment in normal times, because in that case the man could retain the woman as his own property. Also, this payment must come from the personal capital of the guilty individual as his relatives or friends will not be disposed to bring forward livestock or jewels to accept conduct not in accord with the legal norms of the peninsula. Also, this payment is not at all large, and in a certain sense it is a sanction against lack of control in conduct and a defense against the disintegration of the family, basis of the social structure.

We have to include in this section a payment which in a certain way covers the same conditions already described. It sometimes happens that a woman is sold by her relatives under agreement to pay in two installments. On paying the first, the man has free access to cohabit with her. But if the second installment is not paid up at the end of the stipulated time, the maternal relatives of the woman take her back with any children she might have had, the man losing his right to claim the amount already paid on account, /72/ as this sum is considered a payment for abuse although it may be a higher price than that established by custom.

We should note that the Guajiro, on paying the sum claimed as indemnity for transgression of the law of marriage, considers he has terminated all his relations, and he must again pay, if he reinitiates such relations, an amount equal or greater, according to what the young girl's relatives decide. If after the payment he wants to buy her as his wife, he can claim what he has paid for the abuse as an advance payment toward the marriage payment.

548 Prostitution. Guajiro law excludes the prostitute absolutely from their society. We have seen how on reaching adult age, the

/85 cont./

583 Furthermore, the marriage payment includes a compensation for the care the woman received during her life in the family and the obligations that her group will incur in taking charge of the children of the marriage. And in relation to the lands, it permits the husband and his relatives the usufruct of the land belonging to the woman, where from then on they are permitted to pasture their livestock, cultivate the soil, and establish their home. In this way the right over the land of a certain family group is extended to others, and at the same time, the woman's relatives acquire identical rights in respect to the land of the husband and his maternal group; the children they have in the marriage have rights over both. /86/

The payment is also the regulator of conjugal relations and is in a way the yardstick by which the man measures the virginity of the woman when he marries her, on the one hand (cf. Chap. IV, section on Valuation of virginity and of the woman), and on the other, the fidelity to him she must maintain according to Guajiro law.

583 It is in this question of fidelity that the marriage payment
684 plays a predominant part. With the roving life of the Guajiro Indian due to his occupation as a nomadic herder who looks for water and grass for his livestock and now migrates to Venezuela for long periods of time, the assurance of his wife's faithfulness rests on this payment. During his long absences his wife generally lives with her relatives, who feel themselves obliged to watch her surreptitiously and give an account of her conduct to the man, and even more they feel responsible to him for her actions, for if her infidelity is proved, the payment must be returned to him who paid it to them, confident in the honor of his wife and counting on the backing of his in-laws. This prevents all right of protest from them and requires immediate and effective repayment, for otherwise the offended husband might kill his wife's lover, and with that the relatives of the guilty woman would find themselves involved in a death compensation payment since she was the cause. In such a case the maternal relatives of the adulterous

/86 cont./

SR3 GR4 woman are at the mercy of the offended husband's demands: return of the animals he gave as payment for the woman and the giving up of the children conceived in the marriage, plus an additional payment as compensation for the insult received. As the children belong to the maternal relatives, to have them taken away is a terrible disgrace, and for this he /the injured husband/ accepts in lieu of them further indemnification in animals, and they hand over one /of the children/.

SR3 The payment made for the woman also serves as a controlling factor on the general conduct of the wife, preventing her from leaving her home and obligations while her husband is away.

On the other hand, the payment regulates the relations of the man to the woman, because if he subjects her to bad treatment, and this treatment forces her to leave him, then the man is dispossessed of his right over her, because she cannot be obliged to live with him if he has made her life unbearable, and furthermore neither does it give him the right to present a claim for compensation payment for her leaving her home and obligations, which in the other case, as we have seen, implies the return of the amount handed over for her purchase.

The payment that the man makes to the woman's maternal relatives gives him a proprietary right over her as if she were /87/ chattel, in a way, because if, for example, the woman is coveted by another man who wants to buy her, the two -- husband and would-be-buyer -- may come to some arrangement, through intermediaries (if the woman is not of a high class or a first wife) to make a deal, the husband, in exchange for the wife, receiving a payment which is nearly always less than he gave for her originally, taking into consideration the use he has made of her in sexual relations and the children they have had. This second husband may sell her to a third, and so on successively. This usually occurs when a married woman goes off with somebody and lives with him, in view of which the husband resolves to make a claim against the lover, who, accepting it, accepts also the transference of the right of a legitimate spouse. This system,

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SES he has the best livestock on her land, it is the who is really considered as his main wife, who represents him in rank, and whose children belong to a higher group than the rest. And it is to her home and not to that of any of his other wives that the Guajiro takes his friends when he owes them some attention, if they are people of a status equal or superior to his own.

She adopts an attitude of simulated indifference before society with regard to the polygamy of her husband. She does not comment on the matter or associate with the others, although in the lower classes she is frequently obliged to live with them, in which case she will tenaciously defend her privileges.

Also, the Guajiro man at the present time marries by the Catholic rite but later contracts other marriages under the Guajiro system. In these cases it is not unusual for the first wife to be unaware of his subsequent marriage, since the husband hides it, but she may also get to hear of it because of the general practice of telling information among some women. In such a situation she maintains a reserved attitude before outsiders, and although she really recognizes the importance of such acts, she behaves as though her husband's later marriage means nothing in her life; she considers such things as misdeeds on her husband's part and regards other wives, even those legally bought, as concubines and their children as having the illegitimate standing they would have in our society.

As the acquisition of each new wife may bother the previous ones, he does not insist that they attend the marriage ceremony, unless they are pleased about it because the new wife is an intimate friend or a sister.

Adultery. We have seen in this chapter that the man's first reaction to knowledge of his wife's adultery is to kill /124/ her lover and bring on all the consequences this death may entail or, as an alternative, to demand indemnification from his wife's maternal relatives for the offense suffered. However, when the man cares very much for his wife, he may forgive her after a terrible quarrel. It can happen that she may go away for some time with another man, and her husband will later live with her

/124 cont./

837 confess and admit her guilt. Her conduct when she commits adultery /125/ is always under cover. Thus, if during a long absence of her husband she has had relations with another man and, her menstrual period failing to appear, she fears she is pregnant, she goes to look for her husband on the pretext of taking a present and lives with him in order to supply herself with an alibi. As the pregnancy advances she makes her husband believe that it originated on that occasion, thus defending herself from the possible consequences of her infidelity. The husband, who does not bother much about dates, accepts the alibi as a fact. However, certain cases are cited in which the man has later become aware of the deception, usually from observing a marked likeness the child bears to the real father. Then he concentrates on making his wife confess her offense or on trying to prove it himself. If she confesses, then he invokes the law covering adultery; if she does not, there is nothing he can do legally, but he delights in throwing his suspicions in her face; he gets drunk with his friends and sings insulting and offensive songs to her; he treats her badly, hitting her on any pretext. As for the child whose paternity he doubts, he dislikes it, barely tolerating its presence and waiting until it grows up to see if the physical likeness becomes clearer so that he can take advantage of it as decisive proof against his wife and demand the prescribed payment. He spies on her every movement. He leaves the house declaring that he is going to be away a long time and returns when least expected, or he hides and watches the movements of his wife when she goes out to get water, firewood, etc., and follows her tracks until at times he discovers the place she meets her lover, and
837 if he finds there the proofs of infidelity he seeks and the tracks
684 of the lover, he goes home hurriedly and brings his wife to the
● spot to confront her with everything and to oblige her by force of blows to confess. Sometimes he manages to catch the guilty couple together, and in the exultation of his jealousy he kills both the woman and her lover. Sometimes the lover manages to escape, and at other times, after a furious fight, they both

/125 cont./

837 die, which complicates the situation gravely, because it brings
684 the three clan groups into the picture: the woman's, the man's,
● and the lover's. In such cases, the payment usually falls on the group weakest both socially and economically, even though it may have lost one of its members, is least to blame, or has acted only in self-defense. If the lover is of low standing and dies, his relatives must pay the husband and the wife's relatives the amount established.

586 If in any case of adultery the man possesses sufficient proof
837 to accuse his wife, he can demand from her maternal relatives the return of the purchase price plus the indemnity considered just /126/ and the children they have had; if, on the other hand, the relatives can prove that before the adultery the man mistreated her, neither the payment nor the indemnity are justified, and with the return of one of the children of the marriage to the man, the whole matter is closed. At the same time the man loses his right to the woman, this being the only case of true dissolution of marriage.

Dissolution of marriage. A Guajiro marriage can, in a way,
586 be considered indissoluble. The woman who is bought according to the law of La Guajira is considered as the husband's personal property, property assured by the girl's relatives, who have received payment for her, and this restrains the girl from behaving in any way different from the traditional.

Proved adultery can be the cause of disuniting the pair, as we have just seen. In such a case, the offended husband demands the return of the payment made when he bought his wife, with which the tie is considered broken and the woman may abandon the home and return to her kin, losing the right to keep her children, who are of her blood and her family but in this case pass into the possession of the husband.

The lover, who cannot consider himself free of responsibility for the problem he has created, becomes, voluntarily or involuntarily, by the payment which he has to make to the woman's relatives, the husband of the woman accused of adultery.

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689 177 hidden. The breaking up of the cultural institutions against which the aggression is directed is accelerated, and these forms /of protest/, in spite of the disagreeable consequences to the individual who makes them, are becoming more numerous. Lately it has not been necessary to resort to such extreme attitudes as those mentioned, since the tenacious refusal of a woman who does not want to conform to a cultural pattern has been sufficient; this conduct does not now place her outside the institutions to which she belongs by birth, but permits her -- without sanction -- to adopt the cultural norms of the whites in this respect, or violate her own as in the case of prostitution and adultery.

* * *

684 Another type of aggression directed against the regimen for collective stability is that determined by punishable acts relating to sex.

The abuse of a young Guajiro girl without legal purchase is an act of aggression which gives cause for the paying of an indemnity.

In this aspect of abuse one must consider violation and surreptitious sexual relations.

The first is more grave and demands a large payment from the offender, not only for illegally making use of property to which he had no right, but for the way he did it, socially humuliating for the woman and her consanguineous relatives because force is employed and wounds received, /both/ evaluated as injuries.

In the second case, in which the expressed consent of the woman is taken for granted, payment is demanded only for the sexual use of the woman and for taunting the woman's family group.

The man who pays for abuse in either of these two cases does not acquire future rights over the woman. He has paid

/189 cont./

684 for what he took advantage of in the /190/ past and nothing more. If he wishes, he may buy the woman as a wife after what has happened, but this is voluntary, whereas the previous payment is obligatory and its compliance is as strictly enforced as it is in cases of bloodshed. In this payment for abuse, the offender is not helped by his consanguineous relatives nor his friends, who show their disapproval of his conduct in this way, but they will intervene to oblige him to pay an adequate indemnity.

In cases of adultery when the man not only is certain but has proof of the infidelity of his wife, he demands from her maternal relatives a payment for the offense that the act has inflicted on him (See Adultery in Chapter V).

In cases of pregnancy, the woman's condition is considered in a certain way as an aggressive act on the man's part because it gives rise in her organism to a series of inconveniences for which the husband or the man who caused the pregnancy has to pay, and in effect does pay, in livestock, which he hands over to the pregnant woman's maternal relatives and of which she may have no part since they are subject to a magic taboo. This payment is still made even though the pregnancy is illegal and the price for abuse has been paid.

Payment for giving birth (suffering and bloodshed) is also demanded in the case of both legitimate and illegitimate birth. This indemnity is paid to the woman's uterine relatives.

Abortion is an act of aggression, and the injurers in this act may be either the husband or the woman's consanguineous relatives, according to who provoked it. If the man did by ill-treatment or sexual demands, the woman's family presents the claim for compensation payment. For this reason the man never suggests abortion to either his wife or his mistress and for the same reason she never confesses it to him when she resorts to it, even when it was done during the time when she was unmarried to free herself from the problems inherent in an illegitimate pregnancy.

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684 682 When the abortion is provoked by the woman when she is in an advanced stage of pregnancy, the husband demands compensation payment, and the act is considered a homicide.

684 838 An offense of a very grave character for an individual and his relatives is the attempt made by a homosexual to abuse him. Generally, this aggressive act is directed against defenseless young boys, who can be physically forced to submit. Their relatives demand compensation payment, not only for the physical molestation suffered by their relative but for the psychological and social significance of the offense, which completely devolves on them.

684 839 Exhibitionism of a sexual type is considered a punishable act because it entails an offense against the modesty of those present, and if /191/ the spectator is a person of high standing, it implies moreover a grave offense to his high status which demands respect from others; in this case the payment is greater and may cause strong reprisals to be taken against the offender's relatives. These offenses may refer to homosexual practices, suggestions or representations real or imaginary of copulation, or exhibition of the genital organs. Both sexes may undress in [515 831] public without the spectators feeling offended, as happens at the public baths, where the women bathe without concern, taking care to cross their legs. The man holds the penis to his waist in a way that his hairiness covers him and so does not offend the modesty of the bystanders.

684 Other aspects which have to be taken into consideration are the offenses that the woman can inflict on the man during married life. Let us remember that Guajiro women, even to this day, are bought without their wishes being taken into account, and that those who cannot avoid this marriage -- by means of suicide, flight, or breaking with the community -- may refuse to cohabit with the husband imposed on them or to satisfy his sexual desires. The man then abandons such a woman or demands compensation payment for the pain her attitude has caused him and refuses to resume his position as

/191 cont./

684 husband until this payment has been made. It is very common for the man not to make any demand for money for the hurt inflicted but to try to revenge himself by his future attitude. The Guajiro women say that a woman once initiated into sexual life acquires the need for repetition of the act. Then the man refuses to satisfy her, does not frequent the home, and does not give the slightest sign of his affection. The woman is in fact abandoned and yet in the situation of a married woman without a husband, with the obligations inherent in marriage and none of its rights.

Another aspect considered as an aggressive act is the fraud entailed when a man discovers that the woman he has married is not a virgin (See Valuation of virginity in the chapter, Premarital Considerations).

684 838 628 As homosexuality is very much disapproved of in the culture and regarded as almost an enforced degeneration of the young slaves, whoever practices it draws on himself the contempt and scorn of society, and his status is compared to that of those outside society. It is the custom, when two groups are at enmity, to hurl an insult which must result in a decision by arms. This insult consists in telling the enemy that their men would not even serve as women for their opponents. The hidden aim is to avoid legal proceedings and to start a war without quarter, in which they hope to obtain more advantages than by peaceful and orderly negotiation. /192/

682 The most serious aggressive act is homicide. No attenuating circumstances are taken into account, not even that the killing was involuntary or done in self-defense, since the Guajiro solely considers the act itself: An individual took the life of another and serves punishment.

Let us consider some aspects of this type of aggression.

1. Voluntary homicide, that is, one person killing another consciously and deliberately.

2. Involuntary homicide, that is, one person killing another without intending to execute an aggressive act, such as

[123 cont.]

796 aspects: 1) it shows ability in theatrical representations; (2) dancing, such as we have described in previous paragraphs, accompanied by songs; 3) a very interesting sexual aspect, in which the cultural patterns which govern Guajiro society are [786] broken, permitting the possibility of a certain sexual freedom without the consequences attached to such in normal times. We will begin with this last aspect, leaving for later a discussion of what their songs, plays, or drama really are.

796 Sexual aspect. a) The man, when the moment for dancing arrives, takes a partner who usually accompanies him on every 786 evening of the dance. When they end by liking each other, as a result of dancing together, the couples leave the dancing group and withdraw to the forest to satisfy their sexual desires.

●684 In normal times in the community this act would lead to outbreaks of fighting in which the clans of the two participants 628 would clash. The man would be summoned and would be under an obligation to pay a large sum for the harm done and a further sum for the dangers and pains of childbirth in case of pregnancy; or he would find himself obliged to buy the woman for wife in reparation for the fault he had committed. In case he failed to comply with one of these requirements, vengeance and war would follow. But none of this happens during this time of fiesta.

796 If a man who has been with a woman during these nights of 786 dancing (which can go on for three or four months) cares to take her as his wife, he must pay for her the price arranged with her relatives, but if he does not want to do this, his total obligation [431] is limited to a present of a robe. She on her part will give him a similar gift or simply a belt for his loincloth. Afterward they do not meet each other except on casual occasions.

Furthermore, if, owing to intimacies during the dance between unmarried couples, a child should be born, the father has [846] no responsibility toward it or to the girl's relatives. The child is accepted by the girl's family; it is not looked down on, and it participates under conditions of equality with the legitimate heirs in all the duties and rights of the other members of the family group.

[127 cont.]
representation of the re-creation of the universe, the resurgence of nature that changes and disappears, to reappear later.

In large part, this could explain the whole of the fiesta. In reality what in La Guajira is being celebrated under the name of the Dance of the Kid is nothing but a true re-creation of the world of the natives of those barren plains. With the arrival of the rains the sea of sand is converted into a green world, the dry beds of the streams become powerful streams of water, the dry brushwood is transformed into green forest, anxiety over thirst disappears, fatigue from sun and desert is changed to rest, hunger to abundance, and worry to hope in the ripening of fruits and the disappearance of the specter of poverty which prowls the sierras and the plains. It is Mareiwa, their divinity, their good spirit, who has made his apparition over the lakes of the Sierra de Nevada, unleashing storms and hurricanes and bringing the promised rains to his creatures.

But, on the other hand, the sexual acts we have just shown to be present at this traditional fiesta of La Guajira should be treated apart as they represent a transgression of the established rigid and severe cultural patterns that refer to carnal relations between men and women. As the general interpretation of the whole of the Guajiro community has not yet been finished, which could give us sufficient data to carry out necessary clarifications, we shall have to limit ourselves to noting certain outstanding facts.

Unmarried men and women in La Guajira, when looked at in its normal state, are subject to rigorous restrictions in their sex life. Sexual intercourse before marriage is not allowed to their women as the men want their spouses to be virgin. The bachelor is limited in the satisfaction of his sexual impulses by the law of compensation payment, which forces him in the case of his having relations with an unmarried girl to pay a heavy indemnity by which is covered the harm done to the woman, the offense [128] to her relatives, and the possible pains and dangers of childbirth when pregnancy occurs. And if these impositions are not complied with or if the Indian does not marry the girl, paying the price her relatives demand, revenge and declaration

4: Petrullo E-5 (1935) 1937
SC13 Goajiro SC13



671 tween law and custom in Guajiro society by a variety of illustrations. One of them said in effect:

574 If a cacique visits me and I fail to kill a sheep in honor of his visit
626 and to feast him in accordance with the dignity of his rank and my
671 wealth, I have broken a custom of my people. However, though I offend him by such negligence my guest may take no action to redress the wrong other than to inflict the same discourtesy on me if the opportunity should arise. He may seek neither redress in violence nor composition in payment. My only punishment may be the acquisition of a bad name among my people.

586 But if I visit one of my wives at her rancho and she fails to kill a
671 sheep from her own flocks to feast me, refuses me her person, neglects
684 to supply me with hammocks, saddle-bags, and other articles made by women, or refuses me shelter, she will have broken a 'law'; that is, she will have broken the marriage contract. In this case I may demand from her and her family payment or a divorce. In the latter case her family would have to return to me the bride-price plus any increase in the herds but less an amount considered fair for my having exercised sexual privileges over her, though I may demand even this if she marries again. In case her family refuses to adjust
[626] the matter in accordance with our law I may appeal to my family for help in obtaining my just rights. I should be justified in having recourse to violence. However, the law is so well understood that it would not be necessary to resort to such drastic measures generally.[5]

671 These informants were acquainted to some extent with
[115] Colombian and Venezuelan laws and were attempting, no
[177] doubt, to classify their own customs in accordance with European practices. Nevertheless it is an indication that in their minds there does exist a class of offenses for which one may seek composition even through violence, and a class that is in the category of merely moral obligations though investigators may not always draw an equally fine distinction.
[114] Simons, for example, in discussing Guajiro law speaks of injury to oneself as giving rise to a legal obligation for composition.
574 My informants, on the contrary, distinguished it from that
626 class of wrongful acts. If a man cuts himself, his father and
672 father's relatives receive an expiatory offering. Had one of
602 my informants, the son of a rich cacique, cut himself he would have given a small barrel of rum and five or more sheep to his

4: Petrullo E-5 (1935) 1937
SC13 Goajiro SC13



could not have paid the price in the first place, and besides B's family would have little to fear from them.

The father and maternal uncle of the slain man take the initiative in seeking payment which goes to the mother's family.

If A and B had been workmen or retainers of C, a cacique, and A's family could not have paid the price of composition, then C would have paid B's family and in compensation would have enslaved A and his family. Payment for killing a peon is 10 asses, 50 to 100 sheep, and 10 steers.

*Case IV:* A was working for B. In the course of the work through no fault of B, A was hurt. B paid A's family for the injury. A's family took care of A.

*Case V:* A and B were working for C. Through accident B hurt A. B's family had to settle the injury with A's family. Had A been hurt in the course of the work without B acting as the instrument, then C, the employer, would have had to pay.

This case is similar to the one described by Simons. If A lends a horse to B and B is hurt through the instrumentality of the horse, A has to pay. If A gives rum to B and B injures C, A is held responsible.

*Case VI:* A wants to marry B. B or B's family reject his suit. A goes to B's rancho at night and commits suicide there B's family has to pay A's family for the death of A, B being considered as the direct instrument that caused A's death.

*Case VII:* A injures or kills B, caught *in flagrante delicto* with A's wife. A has to pay B's family a price minus an amount considered fair value for the sexual privilege that B exercised on A's wife.

These illustrations point to the absolute nature of Guajiro law. No extenuating circumstances are allowed to enter into settlement of cases of battery or other trespass on the rights of an individual. The case is different in so far as public sympathy and moral censure or approbation are concerned. Furthermore, society as a whole takes no action in righting wrongs. The family of the injured person must seek composition, and if it is not powerful enough to demand a high price it has to be satisfied with a smaller one. Conversely, there is

5: Simons K-5 (ca. 1882) 1885
SC13 Goajiro SC13



88 [868] weaving, making dresses, hammocks, sashes, &c., sewing, and all the little knick-knacks Indians love so well.

The confinement is not so isolated as it seems, generally several of her female relations are round the door with the enclosed, who of course becomes rather stout, much blanched, almost white, and some exceedingly beautiful. Strangers and men are not excluded from peeping in through [584] the door, always with an eye to matrimony, and she can be sold and liberated at once, though her husband if rich prefers leaving her to complete her term of schooling. On re-entering to society again, a special festival, *ahuitis*, is held with dancing, &c. An ox is killed, and the girl is dressed in the clothes she has made; her hair is cut and she resumes all her beads, necklaces, bracelets, and other ornaments.

562 [579] Women are much respected by the Goajiros. In a quarrel or drunken brawl, women often save bloodshed by stopping in and tearing the weapons out of their husband's or brother's hand. Travelling with women is consequently perfectly safe, and in case of danger, if one undertakes to protect a stranger, he may rely upon coming out all right.

583 Matrimony is a mere case of barter. The girl is sold for a certain price, fixed by the father. This is paid by the intended husband, and divided by the father, who appropriates the best part for himself and his relations, the rest going to the wife's relations. As it is chiefly in 585 cattle, these are killed and a kind of bridal festival held. There is no other ceremony. A wife is under obligation to support her husband, 593 find him in food, clothes, &c. She does most of the trading, and a [462] contract made with an Indian is worthless, should his better half object. An Indian cannot inflict bodily injury on his wife, for he becomes liable [583] to her relations, and should she die during childbirth he has to repay the father what he gave for her. But if the wife is untrue (a rare occurrence) [684] he demands from the father the price he paid for her, who if he cannot refund, helps him to recover from the seducer, plus tear or compensation from his mother-in-law. At the husband's death, the 587 wife becomes a legacy to his brother, usually the youngest; if there are 769 none, then his nephew inherits her. The daughter of a chief is worth, 583 according to his wealth and power (i. e. the number of men he can dispose of in a fight) from 6 to 150 head of cattle (12*l.* to 300*l.*).

764 When a person dies, a grand drinking festival is given, that lasts as long as there is anything to drink—days, and even weeks, with the wealthy. These latter are buried twice, and have two festivals. A rich person is always buried in the rancho, and on the spot where he was born; being often carried for that purpose immense distances. A fire is lighted every night from sunset to sunrise in front of the grave, for the sole use of the dead. Immense piles of wood are gathered for this purpose, as the body is kept two years in the house. Then all the relations can meet on a certain day, and the second feast takes place, when the bones are carefully gathered, placed in a jar, and consigned to the

7:Bolinder T-5 (1920, 1955) 1957
SC13 Goajiro SC13



for her as much as will enable him to repay the cattle the clan laid out for him when he married. The amounts obtained for younger daughters are also distributed among the family in a certain way. Payment of the bride-price confers a number of benefits. During the first year the newly married couple usually live as the guests of the bride's family. As has been said, the husband has the right to use the land owned by his wife's clan. The bride always brings a dowry in the form of ornaments and household utensils, often of cattle as well. The husband must look after the cattle, unless, as happens, the girl's family sends its own herdsman to see to them. The bride usually provides all the furnishings of the huts, as well as materials, hammocks and other textiles.

These advantages offset the bride-price to a quite considerable extent. The husband knows, too, that his wife's relations will keep an eye on her when he is away, for if she betrays him, he can return her to her family and require refund of the bride-price and payment of compensation. Thus the bride-price also acts as a guarantee against a grass widow kicking over the traces.

If the husband does not fulfil his duties, or if he treats his wife badly, her family can take her back without returning the bride-price. After that the man will naturally get no help from his clan, if he wishes to get himself another wife.

It is not always possible for the groom and his relations to pay all the bride-price immediately. In such cases it is possible to pay by instalments. The groom pays a large proportion of the price when the bride is handed over to him. If he is unable to pay the balance at the time fixed, he must give the girl back, losing what he has already paid. The girl is now less valuable in the marriage market, being second-hand, so to speak. The man is made to pay for the time he has had her and thereby makes up for the lower price she can command, if a new suitor turns up. According to this principle a seducer must pay compensation to the family of the girl he has seduced. It sometimes happens that a couple fall in love and the parents approve, but the young

7:Bolinder T-5 (1920, 1955) 1957
SC13 Goajiro SC13



583 614 man cannot immediately pay any worthwhile part of the bride-price. The young man may then abduct the girl with the tacit consent of her parents, and thereby postpone having to pay the bride-price. After some time, the girl's relatives will require payment, but meantime his family will have been trying to scrape together at least a first instalment.

Genuine abduction does occur occasionally, but only when the man knows that the girl's clan is weak and that her relatives will thus have difficulty in claiming their rights. He will take the girl as far away as possible. If he is caught, her relatives will try to demand a bride-price. Perhaps he is already tired of the girl by then and wants to return her. She is the clan's property and is not being returned un-
583 damaged, so the man must pay damages for seduction and,
565 if the girl is pregnant, also for childbirth.

614 In the lower classes that would dispose of the matter.
684 The baby would in any event be taken into the mother's clan and have her name. In the upper classes a girl would be turned out if she had had such an accident and the considerable damages required had not been paid immediately. The clan's prestige cannot be allowed to suffer.

Indian girls never keep a seducer's name secret, but at once tell their family who he is.

Among the lower classes cases of wives eloping are said to occur. The man to whom they have gone can legalize the position by paying compensation to the husband. If the husband agrees to do a deal, he cannot ask as much as the bride-price he himself paid, for the girl is by then less valuable.

560 It follows from all this that a woman has not the right to
583 dispose of her own body. She belongs to her mother's family until she marries, and her closest relatives must be compensated for any injury done her. Once the man has
[768] paid the bride-price she becomes his property. If she is widowed, she is inherited along with the rest of his effects by his nephews (sister's sons) and she has to purchase her freedom from them, paying a sum equivalent to the bride-price less what she is held to have lost in value since mar-
riage.

7:Bolinder T-5 (1920, 1955) 1957
SC13 Goajiro SC13



the first wife retains a privileged position. She will be of the best family and the highest in rank. She is the hostess.

One day, when I was standing talking with Mauana, he pointed to a couple walking past and said eagerly:

'You should picture those with your apparatus.'

I photographed the two, who to me appeared very ordinary. The woman had her cheeks and nose painted red. Mauana whispered to me that the woman was not a woman, but that they were two men living together. Later we came across several Indian men who did women's work and wore women's dress. This was not considered really right, but it was looked upon with indulgence. In the early days of discovery gold coins were found on the coast by Santa Marta which depicted 'shameful acts contrary to Nature'. Among the Guajiros' relatives in the West Indies there were chiefs who had whole harems of boys.

'We were talking of bride-price and buying women slaves,' said I, to revert to more normal things. 'What does a poor youth do, who possesses nothing?'

Everyone agreed that it was a pity about any such. The law had definite regulations for intercourse between man and woman, and any infringement involved a claim for damages. If anyone seduced a woman, he must pay considerable compensation to her relatives, however willing she may have been; but if he took her against her will, it costs him considerably more. A poor man cannot pay and therefore risks losing his life as a punishment. The Indians admitted that here and there on the border there was prostitution, but it was mostly mestizo women who lent themselves to that. In Guajira proper, there were no prostitutes. Both the chiefs and the monks told us that. Thus in the interior, a young man without means must live a life of abstinence. The time when the dances of the kid were performed would be his only opportunity of enjoying a woman's favours, provided he could find a willing partner. At this time the otherwise strict code is suspended and free love permitted.

Mauana had promised to arrange a dance, but of another kind. The dances of the kid are performed during the rainy